

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WORCESTER DIVISION

SAINT-GOBAIN PERFORMANCE PLASTICS)	
CORPORATION,)	
Plaintiff)	
v.)	
)	
DOW CORNING CORPORATION; AMESIL,)	
INC. (A SUBSIDIARY OF W.L. GORE &)	
ASSOCIATES, INC.); TRELLEBORG SEALING)	Civil Action No. 07-cv-40302 (Saylor, J.)
SOLUTIONS US, INC.; MITOS)	
TECHNOLOGIES, INC.; NEWAGE)	
INDUSTRIES, INC.; AND J&J SCIENTIFIC)	
PRODUCTS, INC.,)	
Defendants.)	

**W.L. GORE & ASSOCIATES, INC.'S
MOTION TO DISMISS AS TO AMESIL, INC.**

W.L. Gore & Associates, Inc. ("Gore"), through its undersigned counsel, moves the Court for an order dismissing the complaint of Saint-Gobain Performance Plastics Corporation ("Saint-Gobain") as to Amesil, Inc. for lack of personal jurisdiction pursuant to Fed. R. Civ. Proc. 12(b)(2), for insufficient process pursuant to Fed. R. Civ. Proc. 12(b)(4), and for insufficient service of process pursuant to Fed. R. Civ. Proc. 12(b)(5). As set forth more fully in the accompanying Memorandum In Support, Amesil, Inc. does not exist, this Court does not (and can not) have jurisdiction over Amesil, Inc., and service and service of process are both insufficient (and cannot be cured) as to Amesil, Inc. Thus, the complaint should be dismissed with prejudice as to Amesil, Inc.

A proposed order also accompanies this Motion.

COUNSEL FOR GORE HAS CONFERRED PURSUANT TO LOCAL RULE 7.1(a)(2)

The undersigned counsel for Gore hereby certifies that counsel for Gore has conferred with counsel for Saint-Gobain Performance Plastics Corporation in good faith to resolve or narrow the issue presented by this motion.

REQUEST FOR ORAL ARGUMENT

Gore requests oral argument on this motion because it may assist the Court and Gore wishes to be heard.

Date: January 7, 2008

Respectfully submitted,
W. L. Gore and Associates, Inc.
By its Attorneys,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that a true copy of the above document was served upon all counsel of record in this action by first-class mail on the 7th day of January 2008.

/s/ Robert L. Ciociola

Robert L. Ciociola